

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE COLE,

Plaintiff,

Case No. 16-cv-10511
Hon. Matthew F. Leitman

v.

ERIC WILKERSON, *et al.*,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION TO SET REASONABLE
DEPOSITION FEE FOR MICHAEL MEERON, D.C. (ECF #27)**

This case arises out of a motor vehicle accident in which Plaintiff George Cole was involved. Defendants now seek to depose chiropractor Dr. Michael Meeron, who treated Cole after the alleged accident. But Meeron will not attend his deposition unless he is paid a fee of \$650 per hour of deposition time. (*See* Plaintiff's Email to Defendants Regarding Meeron Fee, ECF #27-3.) Defendants contend that this fee is unreasonable.

On May 11, 2017, Defendants filed a motion asking the Court to set a deposition fee for Meeron's consistent with what any other lay witness would receive – namely, \$40 per day and mileage, as set forth in 28 U.S.C. § 1821 and Federal Rule of Civil Procedure 45(b)(1). (*See* Motion, ECF #27 at Pg. ID 418-21.) Defendants argue Meeron is not being deposed as an expert witness, and thus he is

not entitled to an expert witness fee under Federal Rule of Civil Procedure 26(b)(4)(E). (*See id.*) Cole has not filed any response in opposition to the Motion.

The Court has reviewed Defendants' arguments in support of the Motion. Defendant's arguments are not unreasonable, and since the Motion is not opposed, the Court will grant the requested relief. Accordingly, the Motion (ECF #27) is **GRANTED**, and Meeron shall be paid only the witness fees set forth in 28 U.S.C. § 1821 and Federal Rule of Civil Procedure 45(b)(1).

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 23, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 23, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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